

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN M. CARTER,

Plaintiff,

v.

PAULINE SMITH (an individual),
KIMBERLY LORENZO, (an
individual), CORNHUSKER BANK,
ADAM WERTHEIMER (an
individual), STEPHEN A. ARONIS
(an individual),
TRANS-UNION, L.L.C.,
SAN DIEGO COUNTY CHILD
SUPPORT SERVICES, LOUISIANA
DEPARTMENT OF SOCIAL
SERVICES, JEFFERSON PARISH
DISTRICT ATTORNEY'S OFFICE,
DOES 1-10, inclusive,

Defendants.

4:05CV3159

**MEMORANDUM
AND ORDER**

This matter is before the court upon motions to dismiss brought by eight of the nine named defendants. Theodore Vrana is counsel for the plaintiff. Effective April 13, 2004, I recused myself from several cases in which Mr. Vrana appeared as counsel, and also from any subsequent cases in which Mr. Vrana appeared as counsel. The court's electronic filing system is designed to prevent a case from being assigned to a judge who has recused himself from cases involving the particular attorney, party, or issue. Unfortunately, through human error and a glitch in the electronic filing system, my recusal order was overlooked when this action was filed on July 8, 2005. This error was just recently discovered.

Accordingly, this case shall be referred to Chief Judge Bataillon for reassignment. Regrettably, some of the motions before the court have been ripe for decision for more than sixty days. Though the court endeavors to resolve civil motions within sixty days after they become ripe, these motions were not reached in that time frame. Though reassignment of this case will cause additional delay in resolving the pending motions, and for that I apologize, this case must be reassigned.

IT IS ORDERED that this case is referred to Chief Judge Bataillon for reassignment to another judge.

February 6, 2006.

BY THE COURT:

s/Richard G. Kopf
United States District Judge